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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/512,411	02/24/2000	Xiaobao Chen	3-2-2	5744

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Docket Administrator (Rm 3C-512)
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EXAMINER

NGUYEN, THANH T

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 06/30/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/512,411

Applicant(s)

CHEN ET AL. *PAE*

Examiner

Tammy T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____



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Detailed Office Action

1. This action is responsive to the amendment filed on April 21, 2003.
2. Claims 1- 19 are pending

Response to Arguments

3. Applicant's arguments filled on April 21, 2003 have been fully considered, however they are not persuasive because of the following reasons:

4. Applicants argue that Lazaridis does not teach generating, in the foreign network, a modified reply message having a source address of the mobile node's care-of-address and a destination address of the correspondent node. In response to Applicant's argument, the Patent Office maintain the rejection because Lazaridis does teach generating, in the foreign network, a modified reply message having a source address of the mobile node's care-of-address and a destination address of the correspondent node as shown in (col.8, line 66 to col.9 line 19, and col.14, lines 52-60), clearly shown generating, in the foreign network, a modified reply message having a source address of the mobile node's care-of-address and a destination address of the correspondent node.

5. Regarding claims 12 and 16, Applicants argue that Lazaridis does not teach proxy server. In response to Applicant's argument, the Patent Office maintain the rejection because Lazaridis does teach a proxy server as shown in column 8, lines 7-12, column.8, lines 25-30, and

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column.9, lines 44-47 (Function as proxy server on computer 11), clearly shown that Lazaridis teach a proxy server.

6. Therefore, the Examiner asserts that cited prior arts teach or suggest the subject matter broadly recited in independent claims 1, 12, and 16. Claims 2-11, 13-15 and 17-19 are also rejected at least by the virtue of their dependency on independent claims and by other reasons set forth in the previous office action on December 12, 2002 [see paper no. 5]. With all above given reasons, the rejections for claims 1-19 are respectfully rejected.

Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 1-19 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Lazaridis et al.(USPN 6,219,694 – Date of Patent: April 17, 2001, herein referred to as “Lazaridis”).

9. As to claim 1, Lazaridis teaches the invention as claimed, including a method of establishing a quality of service session between a correspondent node and a mobile node, the mobile node having a home address in a home network and being temporarily connected at a care-of address in a foreign network, the method comprising the steps of:

generating, in the foreign network, a modified reply message having a source address of the mobile node's care-of address and a destination address of the correspondent node (col.8, line 66 to col.9 line 19, and col.14, lines 52-60); and

transmitting the modified reply message (col.8, line 66 to col.9, line 19, col.13, lines 50-67, and col.16, lines 28-36).

10. As to claim 2, Lazaridis teaches the invention as claimed, further comprising the steps of: receiving, in the home network, a request message having a source address of the correspondent node and a destination address of the mobile node's home address (col.14, lines 8-23, col.1, lines 39-67, and col.3, lines 35-65);

creating a modified request message by replacing the destination address of the request message with the mobile node's care-of address (col.1, lines 39-47); and

transmitting the modified request message to the foreign network, whereby the modified reply message is generated responsive to the modified request message (col.1, lines 25-38, col.16, lines 46-65).

11. As to claim 3, Lazaridis teaches the invention as claimed, wherein the step of generating the modified reply message is carried out by proxy device in the foreign network, the proxy device being associated with the mobile node (col.11, lines 6-15, col.5, lines 35-56, and col.9, lines 52-64); and

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further comprising the steps of:

responsive to receipt of the modified request message at the proxy device, sending a quality of service indication signal to the mobile node, whereby the modified reply message is generated responsive to receipt of a quality of service acknowledgment from the mobile node (col.13, lines 6-19, and col.10, lines 21-38).

12. As to claim 5, Buckley teaches the invention as claimed, further comprising the steps of: receiving, in the home network, the modified reply message (col.3, lines 35-65, and col.4, lines 1-18);

creating a further modified reply message by replacing the source address with the mobile node's home address (col.14, lines 45-63); and

transmitting the further modified reply message (col.16, lines 28-37).

13. As to claim 6, Lazaridis teaches the invention as claimed, wherein the correspondent node generates the request message and receives the further modified reply message (col.1, line 39 to col.2, line 17).

14. As to claim 7, Lazaridis teaches the invention as claimed, wherein:

the correspondent node is associated with a correspondent proxy device (col.5, lines 36-56), whereby:

the correspondent proxy device generates the request message responsive to a quality of service request from the correspondent node (col.3, line 65 to col.4, line 18, col.10, lines 21-38, and col.13, lines 6-18); and

the correspondent proxy device generates a quality of service confirmation responsive to receipt of the further modified reply message (col.13, lines 6-18).

15. As to claim 8, Lazaridis teaches the invention as claimed, wherein the step of generating the modified reply message is carried out in the mobile node (col.16, lines 45-65).

16. As to claim 9, Lazaridis teaches the invention as claimed, wherein the step of generating the modified reply message comprises:

generating a reply message having a source address of the mobile node's home address and a destination address of the correspondent node (col.14, lines 8-23); and

replacing the source address with the mobile node's care-of address, thereby generating the modified reply message (abstract, col.9, lines 52-64).

17. As to claim 10, Lazaridis teaches the invention as claimed, in which the step of generating the modified reply message is carried out by a proxy device in the foreign network, the proxy device being associated with the mobile node (col.5, lines 36-56).

18. As to claim 12, Lazaridis teaches the invention as claimed, including a mobile IP environment capable of supporting a quality of service session, comprising:

a correspondent node (col.7, lines 31-65);

a mobile node having a home address in a home network and being temporarily connected at a care-of address in a foreign network (col.1, lines 39-67),

a proxy device, in the foreign network, the proxy device associated with the mobile node for generating a modified reply message having a source address of the mobile node's care-of address and a destination address of the correspondent node (column 8, lines 7-12, column.8, lines 25-30, and column.9, lines 44-47, col.11, lines 6-15, col.5, lines 35-56, and col.9, lines 52-64).

19. As to claim 13, Lazaridis teaches the invention as claimed, wherein the proxy device is

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located in the mobile node (col.1, lines 39-67).

20. As to claim 14, Lazaridis teaches the invention as claimed wherein the proxy device is located outside the mobile node and coupled to the mobile node (Fig.1, wireless gateway (20), mobile computer (24), and col.4, lines 1-18).

21. As to claim 16, Lazaridis teaches the invention as claimed, including a system capable of supporting a quality of service session, comprising:

a correspondent node (col.7, lines 31-65);

a mobile node having a home address in a home network and being temporarily connected at a care-of address in a foreign network (col.1, lines 39-67),

a proxy device, in the foreign network, the proxy device associated with the mobile node for generating a modified reply message having a source address of the mobile node's care-of address and a destination address of the correspondent node (column 8, lines 7-12, column.8, lines 25-30, and column.9, lines 44-47, col.11, lines 6-15, col.5, lines 35-56, and col.9, lines 52-64).

22. As to claim 17, Lazaridis teaches the invention as claimed, wherein

the proxy device is located in the mobile node (col.1, lines 39-67).

located in the mobile node (col.1, lines 39-67).

23. As to claim 18, Lazaridis teaches the invention as claimed, wherein the proxy device is located outside the mobile node and coupled to the mobile node (Fig.1, wireless gateway (20), mobile computer (24), col.4, lines 1-18).

Claim Rejections - 35 USC § 103

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24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

25. Claims 4, 11, 15, and 19 rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis et al., (hereinafter Lazaridis) U.S. Patent No. 6,219,694 B1 in view of Kidder et al., (hereinafter Kidder) U. S. Patent No. 5,903,735.

26. As claim 4, Kidder does not explicitly teach the quality of service session is an RSVP Message, the request message is a Path message and the modified reply message is a Reservation message. However, Lazaridis teaches the quality of service session is an RSVP session (col.7, line 55-col.8, line 17); the request message is a Path message (col.8, lines 3-17, col.8, lines 49-65, and col.10, lines 22-38); and the modified reply message is a Reservation message (col.8, lines 3-17, and col.9, lines 17-41). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Lazaridis and Kidder to have an RSVP, Path and Reservation message session includes in a communication system because it would have an efficient system that provide a remote receiver requests that a certain amount of bandwidth be reserved by the server for a data stream; the server sends back a message indicating whether or not the request has been granted.

27. Claims 11, 15, and 19 have similar limitations as claim 4; therefore, they are rejected under the same rationale.

Conclusion

28. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

30. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(703) 305-7982**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 4:30 p.m. eastern standard time.

31. If you need to send the Examiner, a facsimile transmission regarding After Final issues, please send it to **(703) 746-7238**. If you need to send an Official facsimile transmission, please send it to **(703) 746-7239**. If you would like to send a Non-Official (draft) facsimile transmission the fax is **(703) 746-7240**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, **David Wiley**, may be reached at **(703) 308-5221**.

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Any response to this office action should be mailed to: **Director of Patents and Trademarks Washington, D.C. 20231**. Moreover, hand-delivered responses should be delivered to the Receptionist, located on the **fourth floor of Crystal Park 11, 2121 Crystal Drive Arlington, Virginia**.

Tammy T. Nguyen



DAVID WILEY
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